

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10980920-1

1631

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jeffrey R. Sampson, et al.

Serial No.: 09/915,044

Examiner: Ardin H. Marschel

Filing Date: July 24, 2001

Group Art Unit: 1631

Title: METHODS FOR DETECTING A TARGET MOLECULE

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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APR 03 2003  
TECH CENTER 1600/2900

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
( ) No additional fee (Address envelope to "Box Non-Fee Amendments")  
( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY       |  |                        |  |                         |             |                           |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1)<br>FOR   | (2)<br>CLAIMS REMAINING<br>AFTER AMENDMENT | (3)<br>NUMBER<br>EXTRA | (4)<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (5)<br>PRESENT<br>EXTRA | (6)<br>RATE | (7)<br>ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      |  | MINUS                  |  | = 0                     | X \$18      | \$ 0                      |
| INDEP.<br>CLAIMS                                     |  | MINUS                  |  | = 0                     | X \$84      | \$ 0                      |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM |  |                        |  |                         | + \$280     | \$ 0                      |
| EXTENSION<br>FEE                                     | 1ST MONTH<br>\$110.00                      | 2ND MONTH<br>\$410.00  | 3RD MONTH<br>\$930.00                        | 4TH MONTH<br>\$1450.00  |             | \$ 0                      |
| OTHER FEES   |  |                        |  |                         |             | \$                        |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |                        |  |                         |             | \$ 0                      |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: March 27, 2003

Typed Name: Theodore J. Leitereg

Signature: Theodore J. Leitereg

Respectfully submitted,

Jeffrey R. Sampson, et al.

By Theodore J. Leitereg

Theodore J. Leitereg

Attorney/Agent for Applicant(s)

Reg. No. 28,319

Date: March 27, 2003



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington D.C. 20231, on March 27, 2003.

Signature Theodore J. Leitereg

Date 3/27/03

Name: Theodore J. Leitereg

AL  
Plunkett

PATENTS

Attorney Docket No. 10980920-1

4/6/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jeffrey R. Sampson, *et al.*

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Sir:

Response to Restriction Requirement

This is responsive to the Restriction Requirement in the Office Action dated February 27, 2003, from the U.S. Patent and Trademark Office in the above-identified patent application.

Restriction Requirement

The Examiner required restriction under 35 U.S.C. §121 as follows:

Group I – Claims 1-59

Group II – Claims 60-61

In response thereto, Applicant elects the invention of Group I, Claims 1-59, drawn to methods of detecting a target molecule via a redox active moiety.

The Examiner further required that, if Group I was elected, then three specie elections were also required.

In the First Specie Election for Group I, the Examiner required election to patentably distinct species as follows:

Specie A: Methods wherein the semiconductor substrate contains cell(s), which do not contain numerical data storage means.

Specie B: Methods wherein the semiconductor substrate contains cell(s), which contain numerical data storage means.

In response thereto, Applicant elects the invention of Specie B, namely, methods wherein the semiconductor substrate contains cell(s), which do not contain numerical data storage means. In response to the Examiner's requirement for a listing of all claims readable on the above-elected specie, Applicant lists Claims 1-18, 21-34, 53-55 and 57-59.

In the Second Specie Election for Group I, the Examiner required election to patentably distinct species as follows:

Specie C: Methods wherein an analog-to-digital converter is not present in cell(s) present in the semiconductor substrate.

Specie D: Methods wherein an analog-to-digital converter is present in cell(s) present in the semiconductor substrate.

In response thereto, Applicant elects the invention of Specie C, namely, methods wherein an analog-to-digital converter is not present in cell(s) present in the semiconductor substrate. In response to the Examiner's requirement for a listing of all claims readable on the above-elected specie, Applicant lists Claims 1-4, 7-16, 26, 28-35, 38-55 and 57-59.

In the Third Specie Election for Group I, the Examiner required election to patentably distinct species as follows:

Specie E: Methods wherein a polymerase is not utilized for incorporating a redox active moiety into a target probe.

Specie F: Methods wherein a polymerase is utilized for incorporating a redox active moiety into a target probe.

In response thereto, Applicant elects the invention of Specie E, namely, methods wherein a polymerase is not utilized for incorporating a redox active moiety into a target probe. In response to the Examiner's requirement for a listing of all claims readable on the above-elected specie, Applicant lists Claims 1-9, 11-15, 17-25, 27-43 and 57-59.

SUMMARY

Applicant, in response to the requirement in the Office Action, has elected the subject matter of Group I. Furthermore, as required, Applicant has elected Specie A, Specie C and Specie E, respectively, in response to the First Specie Election Requirement for Group I, the Second Specie Election Requirement for Group I and the Third Specie Election Requirement for Group I.

Respectfully submitted,



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